

TRANSPORTATION, TREASURY,
AND INDEPENDENT AGENCIES
APPROPRIATIONS ACT, 2005

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes.

Mrs. MALONEY. Mr. Chairman, I rise in support of the Oxley-Frank-Kolbe amendment.

This bipartisan amendment from the leadership of the Financial Services Committee corrects the Culbertson provision, a major defect in this appropriations bill that would severely damage the ability of law enforcement to track and target terrorist money.

The White House, the Treasury Department, the banking community—both banks and credit unions, the immigration community, and more than 1,000 police departments across the country, are united in their support for this amendment, and in opposition to the Culbertson provision.

The Culbertson provision guts the key financial anti-terrorism law under which the Treasury Department and financial institutions across the Nation work together to combat terrorist funding.

Under the Culbertson amendment, Treasury could not enforce or even publish its regulations telling financial institutions that they must verify the identity of their customers.

This requirement to verify customer's identity was a key piece of the money laundering provisions of the Patriot Act, which were specifically noted by the 9/11 Commission as an important step towards combating terrorism.

The 9/11 Commission was clear on how we need to combat terrorist funding: "Follow the money," the Commission said.

But the Culbertson provision would drive a significant sector of the economy out of banks and into illicit financial systems, where money is far harder to trace and far more subject to criminal activity.

Secretary Snow—the administration's key Cabinet officer in the effort to track terrorist funding—described the Culbertson provision as follows: "Because this provision could drive large sections of the U.S. population into underground financial services, it would weaken the Government ability to enforce our money laundering and terrorist financing laws." This is the position of the administration—including the Department of Justice and the FBI.

The Culbertson provision targets a form of identification known as matricula, which are issued to Mexican citizens who register with their consul in the United States.

Supporters of the provision argue that matricula are unreliable. But this view is uninformed. The matricula system is internationally recognized and well established.

In the aftermath of 9/11, Mexico increased the security features on this card, so that it is now harder to forge or fraudulently obtain than many state drivers' license.

Mexico maintains a national database to prevent the issuance of duplicate matricula or

the issuance of matricula to criminals on a "stop list".

The cards are accepted by many U.S. banks as a proper and reliable form of identification for Mexican citizens in the U.S.

As many financial associations and institutions have written, eliminating the sue of these cards would undermine the abilities of financial institutions to assist law enforcement in "following the money" by verifying customers' identity.

Additionally, the Culbertson provision would deprive many workers in this country of access to legitimate financial services—banks or credit unions—and drive them into underground systems where money is much harder to trace.

We are far safer if these segments of the population transact their financial affairs in the regulated context of banks and credit unions so that law enforcement can track them and ensure they comply with the law.

Moreover, these workers would be deprived of the benefits and consumer protections of our regulated financial system.

Lastly, as the banks note, depriving this segment of the population of access to credit and forcing them to a cash-based system will hurt the local economy.

The Culbertson provision is dangerous and fundamentally misguided.

We must remove it from this bill. I urge your support of this amendment.

**SALUTING "SPIRIT OF GALION"
AND 179TH AIRLIFT WING OF
OHIO NATIONAL GUARD**

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 15, 2004

Mr. OXLEY. Mr. Speaker, it is my honor to salute the determined efforts of the crew of the *Spirit of Galion* and the 179th Airlift Wing of the Ohio National Guard in preventing a major disaster over the skies of Iraq earlier this year.

On June 29, the six-man crew of the C-130 transport plane *Spirit of Galion* took off from Balad Airbase in Iraq with 59 Army soldiers on board. The soldiers were en route to the United States for a two-week break. However, the upbeat mood on board did not last for long. Major Bruce Fogle and Major Jeff Charette, the pilot and co-pilot, respectively, and both constituents of mine from Mansfield, quickly noticed that the right main landing gear would not retract after takeoff.

The crew's two loadmasters, Senior Master Sergeant Mike Cyphert (also a constituent of mine from Shelby) and Staff Sergeant Mike Keller from Sycamore, examined the landing gear to discover what was wrong. They found that the gear was wedged at an angle, with one wheel fully retracted and the other almost all the way down. In that position, there was no way the plane could possibly land safely.

Majors Fogle and Charette, though, with 28 years of C-130 flight experience between them, did not panic, even though the plane's fuel level afforded them very limited time to fix this major problem. Working with Captain Matt Muha of Dayton, their navigator, they decided to make their way toward the Persian Gulf, circling overhead until either the gear problem

was fixed or their fuel level reached a critical level.

Meanwhile, Technical Sergeant Shane Adams, the flight's engineer and a constituent of mine from Lima, worked with Sergeants Cyphert and Keller to free the jammed gear. The flight crew alerted experts on the ground as to their situation, working with ground crews in the region, at the 179th Airlift Wing base in Mansfield, and even with private sector aerospace engineers. Even with the combined efforts and suggestions of the dozens of people now troubleshooting the problem, none of the solutions proposed was successful in lowering the gear.

With these options exhausted, Sergeants Adams, Cyphert, and Keller continued to rock the stuck wheels from side to side in an attempt to dislodge them. However, the *Spirit of Galion* was quickly running out of fuel. The pilots radioed Kuwait International Airport and requested clearance for an emergency landing. Just in time, however, the crew freed the gear, allowing it to drop freely.

Even with the gear freed, though, there was no guarantee of a safe landing. The crew had no way of knowing if the gear would stay in place and support the weight of the plane on touchdown. The crew immediately went to work bracing the gear with heavy cargo chains strapped across the width of the cramped plane. The crew also had to rearrange the seating for their Army passengers to minimize the risk to them should the gear give way. The loadmasters helped to secure several of the soldiers to the floor of the airplane with cargo straps.

With the gear secured and emergency crews in place near the runway prepared for the worst, Major Fogle brought the plane in. Despite the continuing tension and the knowledge that so many lives were potentially in the balance, it was a textbook landing, with Major Charette calling it the smoothest he had ever seen. Thanks to the dedicated efforts of the entire crew, the gear stayed in place.

The six-man crew was greeted with cheers from their Army passengers and their crewmates on the ground around the world. Befitting their professionalism and dedication, though, they deflected these accolades, instead expressing their own thanks to the soldiers on board, the ground crews in Kuwait, their teammates at the 179th in Mansfield, and everyone else involved in the effort to bring the *Spirit of Galion* back safely.

I am proud to add my commendations to the entire team that prevented disaster on that day—but especially to the flight crew on board. Using their years of experience and through their calm actions, they saved many lives in the air and on the ground that day. The *Spirit of Galion* and the soldiers on board could not have been in more capable hands than this crew, which knew that failure was not an option with so much at stake. Their devotion to their duty and their country is a credit to everyone at the 179th Airlift Wing and an ideal reflection of the bravery and skills of our reservists and guardsmen now serving the United States throughout the world.